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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/862,922      | 05/22/2001  | Colleen J. McGinn    | 60104-1510          | 9276             |

23506 7590 03/10/2004  
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EXAMINER

CHASE, SHELLY A

ART UNIT PAPER NUMBER

2133

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/862,922

Applicant(s)

MCGINN ET AL.

Examiner

Shelly A Chase

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-29 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1 to 29 are presented for examination.

#### *Claim Objections*

2. Claims 24 to 26 objected to because of the following informalities: please change the dependency to claim 23.

Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims **1 to 16, 18 to 28, and 29** are rejected under 35 U.S.C. 102(b) as being anticipated by Okanou et al. (USP 5883890).

Claims **1 and 23**:

Okanoue teaches a header analyzer/reconfigurator [503] for analyzing a received packet. The analyzer/reconfigurator comprising: a means for detecting the inherent address and a means for detecting the position address wherein the detected address is use to determine terminal connections and routing (see col. 5, line 54 to col. 6, line 25

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and col. 20 lines 1 to 17), interpreted as "first logic, the first logic being configured to select a particular bit pattern in the data frame for interrogation." Okanou teaches that the analyzer/reconfigurator includes a comparing means ("second logic") for comparing checking the reliability of the packet address (see col. 6, lines 26 to 42 and col. 20, lines 30 et seq.).

Okanoue also teaches the analyzer/reconfigurator includes a means for converting and transferring the packet based on the data received from the comparing means (see col. 6, lines 43 to 49 and col. 21, line 1 et seq.), interpreted as "third logic, the third logic being configured to determine a location to which the comparison result is to be routed." Okanou further teaches the analyzer reconfigures the packets based on the router address and the router may reconfigure the packet (see col. 14, lines 30 to 35).

As per claims **2**, **4**, and **6**, Okanou discloses reconfiguring the packets based on certain criteria (see col. 22, lines 35 et seq.), and the router reconfiguring the data (see col. 21, lines 11 et seq.).

As per claims **3**, **5** and **7**, Okanou discloses the positional address is indicated by time and proper transmission of the packets required that the association of the inherent address and the positional be correctly maintained (see col. 17, lines 35 to 40), interpreted as the first, second and third logic reconfiguring in real-time.

As per claim **8**, Okanou discloses a means for replacing the destination address based on the positional address when a true value or a false value is outputted by the

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comparing means and the router transfers the packet (see col. 21, lines 30 et seq.), interpreted as forth logic.

As per claim **9**, Okanoué discloses the determining an inherent address, determining a positional address, comparing the inherent address with router address association data with a database and reconfiguring the packet (see fig. 11a –11b and col. 22, lines 35 et seq.), interpreted as fifth, sixth and seventh logic.

As per claims **10** to **12**, Okanoué discloses the analyzer reconfigures the packets and the router converting the positional address based on received value (see col. 24, lines 15 to 26).

As per claims **13**, **14** and **15**, Okanoué discloses the positional address is indicated by time and proper transmission of the packets required that the association of the inherent address and the positional be correctly maintained (see col. 17, lines 35 to 40), interpreted as the fifth, sixth and seventh logic reconfiguring in real-time.

As per claim **16**, Okanoué discloses a means for replacing the destination address based on the positional address when a true value or a false value is outputted by the comparing means and the router transfers the packet (see col. 22, lines 8 et seq.), interpreted as eighth logic.

As per claims **18** to **19** and **28**, Okanoué teaches the routers includes header processor [2102] wherein the processor includes packet reconfigurators [2404 & 2403] reconfiguring the address and providing updates (see col. 29, lines 29 et seq.) and the router includes a control packet processor providing updates (see col. 29, lines 25 to 28); interpreted as “wherein the first, second, third, fourth, fifth, sixth and seventh logic

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are comprised in an application specific integrated circuit" and "receives programming signals from a programming processor."

As per claims **20 to 22**, Okanoué discloses the packets are formatted with IP protocol for mobile communication (see col. 16, lines 55 to 66) and the analyzer/reconfigurator is in a router (see col. 19, lines 49 to 51); interpreted as "wherein the apparatus is incorporated into a network interface device."

As per claims **24, 25 and 26**, Okanoué discloses the positional address is indicated by time and proper transmission of the packets required that the association of the inherent address and the positional be correctly maintained (see col. 17, lines 35 to 40), interpreted as the as the data can be programmable altered in real-time.

As per claim **29**, Okanoué teaches the analyzer/reconfigurator is in a router (see col. 19, lines 49 to 51) and in the analyzer there are reconfigurators that reconfigure the data and a control processor providing updates (see col. 29, line 29 et seq.).

### ***Allowable Subject Matter***

5. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


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***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelly A Chase whose telephone number is 703-308-7246. The examiner can normally be reached on Mon-Thur from 8:00 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Shelly A Chase